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Atty. Dkt. No. 8591-103

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Giraldin, Patrick, et al.  
Title: SYSTEM FOR REAL-TIME  
LOCATION OF PEOPLE IN A FIXED  
ENVIRONMENT  
Appl. No.: 09/992,668  
Filing Date: November 13, 2001  
Examiner: Liu, Ming Hun  
Art Unit: 2675

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being facsimile transmitted on the date indicated above to the United States Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

EV 611362316 US  
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4/13/05  
(Date of Deposit)

Bernard L. Kleinke  
(Printed Name)

*Bernard L. Kleinke*  
(Signature)

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing are:

- ☒ Information Disclosure Statement Under Statement Pursuant to 37 C.F.R. § 1.56.
- ☒ Form PTO/SB/08A with listed references.
- ☒ Copies of Foreign References listed on Form PTO/SB/08A (5 references)
- ☒ Copy of Supplementary European Search Report.
- ☒ Credit Card Payment Form.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this

application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please construe this authorization to pay as the necessary petition or request, which is required to accompany the payment.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: April 13, 2005

DUCKOR SPRADLING METZGER & WYNNE  
A Law Corporation  
401 West A Street, Suite 2400  
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Respectfully submitted,

By Bernard L. Kleinke

Bernard L. Kleinke  
Attorney for Applicant  
Registration No. 22,123



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Title: SYSTEM FOR REAL-TIME LOCATION  
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Bernard L. Kleinke  
(Printed Name)

*Bernard L. Kleinke*  
(Signature)

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR § 1.56. A copy of each listed foreign document is being submitted to comply with the provisions of 37 CFR § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted before the mailing date of any final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the fee set forth in § 1.17(p).

**RELEVANCE OF EACH DOCUMENT**

An English translation of the French Patent was not readily available. However, the absence of an English-language counterpart document does not relieve the PTO from its duty to consider the submitted document (37 CFR § 1.98 and MPEP § 609)

Any document listed on the attached PTO/SB/08A was cited as being relevant during the prosecution of the corresponding European Patent Office Application No. EP 01 99 6980. With the exception of French Patent No. FR 2 779 847 A1, all documents are in English. A copy of the Supplementary European Search Report is attached, setting forth the portion of each document considered relevant by the Examiner. Applicants respectfully request that any listed documents be considered by the Examiner and be made of record in the present application and that any initial copy of Form PTO/SB/08A be returned in accordance with MPEP § 609.

**CERTIFICATION**

The undersigned hereby certifies in accordance with 37 CFR § 1.97(e)(1) that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office and counterpart foreign application not more than three (3) months prior to filing this statement.

**PETITION AND FEE**

It is hereby respectfully petitioned that the documents listed on the attached form PTO/SB/08A be considered by the Examiner and formally made of record. A petition fee in the amount of \$180.00 in accordance with 37 CFR § 1.17(p) is enclosed.

Date:

April 13, 2005

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San Diego, California 92101-7915

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Respectfully submitted,

By

Bernard L. Kleinke

Bernard L. Kleinke  
Attorney for Applicant  
Registration No. 22,123

**AUTHORIZATION TO PAY AND PETITION FOR THE  
ACCEPTANCE OF ANY NECESSARY FEES**

The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please construe this authorization to pay as the necessary petition or request, which is required to accompany the payment.

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Email Address: kleinke@dsmwlaw.com

Respectfully submitted,

By Bernard L. Kleinke

Bernard L. Kleinke  
Attorney for Applicant  
Registration No. 22,123

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet	1	of	1
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**Complete if Known**

Application Number	09/992,668
Filing Date	November 13, 2001
First Named Inventor	Patrick Giraldin
Art Unit	2675
Examiner Name	Ming Hun Liu
Attorney Docket Number	8591-103

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	B	GB 2 307 324 A	05-21-1997	Sim, Leonard		
	C	FR 2 779 847 A1	12-17-1999	Ampelas, Andre, et al.		
	D	WO 99/67737 A1	12-29-1999	Lanzl, Colin and Werb, Jay		
	E	WO 01/46916 A2	06-28-2001	Brown, Richard C.		
	F	WO 02/31787 A1	04-18-2002	Giraldin, Patrick, et al.		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*